



# Town of Groton, Connecticut

## Meeting Agenda

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager (860)441-6630

### Representative Town Meeting

*Moderator Natalie B. Billing, Representatives Jean-Claude Ambroise, Joe Baril, Nancy E. Barnhart, Lori Bartinik, Alicia Bauer, Nancy E. Beckwith, Joyce F. Bergeson, Laurie Kim Briggs, Genevieve Cerf, Michael Collins, Warren T. Cooper, Nancy S. Driscoll, Syma Ebbin, June Evered, Peter Fairbank, Melissa M. Finlayson, Irene B. Garagliano, Robert Garcia, Patrice Granatosky, Dolores Harrell, Wendy L. Hellekson, Lynn Crockett Hubbard, James Loughlin, Lisa M. Luck, Jackie Massett, Carole McCarthy, Richard Metayer, Betsy Moukawsher, Scott Newsome, Deborah Peruzzotti, Kevin Power, Betty A. Prochaska, Don Pratt, Jack Sebastian, Jennifer Smuts, Eleanor Steere, Joan Steinfeld, Irma Streeter, Mark Svencer, and Cheryl Tilney*

Wednesday, April 09, 2008

7:30 PM

Senior Center

### Regular Meeting

- A. ROLL CALL
- B. MOMENT OF SILENCE AND SALUTE TO THE FLAG
- C. APPROVAL OF MINUTES OF MARCH 12, 2008
- D. CITIZENS' PETITIONS

This is the portion of the RTM agenda where the RTM welcomes comments from citizens. Each presentation should be limited to ten minutes or less, and citizens should, if possible, submit written comments. Presentations should be limited to matters pertinent to Groton. The Moderator, or members through the Moderator, shall ask questions only in order to clarify the speaker's presentation. Responses may be given by the Moderator and/or by the Town Manager. Citizens should make their presentations from the lectern and state their names and addresses for the record.

- E. RECEPTION OF COMMUNICATIONS
- F. REPORT OF THE TOWN MANAGER:

- 1. Financial report
- 2. Monthly briefing

- G. LIAISON REPORTS
- H. COMMITTEE REPORTS

#### 1. FINANCE

- a. Chairman's notes on the business of the Town - Chairman Granatosky

#### 2. COMMUNITY DEVELOPMENT & SERVICES

- a. Chairman's notes on the business of the Town - Chairman Peruzzotti

2007-0140 Town Property at Buddington/Old Buddington Roads

RESOLUTION TO OFFER TOWN PROPERTY ON NORTH ROAD, BUDDINGTON ROAD AND OLD BUDDINGTON ROAD TO CITY OF GROTON UTILITIES

WHEREAS, the Town of Groton owns two parcels of land, amounting to approximately 1.8 acres, on North Road, Buddington Road and Old Buddington Road that were acquired by tax foreclosure, and

WHEREAS, based on the report of the Town's Property Review Team, then Town Manager Ronald LeBlanc and the Office of Planning and Development Services recommended in 1995 that these properties be offered to Groton Utilities for purchase, before being offered for public sale, and

WHEREAS, the Groton Town Council considered the sale of these properties to Groton Utilities in 1995 for a total price of \$19,208.82, but the sale was not consummated, and

WHEREAS, the Town of Groton up to this date has not had plans for using the subject land for any Town purposes, and

WHEREAS, Groton Utilities has represented that their ownership of the land would enhance the security and safety of their reservoirs, now therefore be it

RESOLVED, that the Town of Groton offer the parcels of land on North Road, and Buddington Road/Old Buddington Road, designated with PIN Numbers 169807790529E and 169910366848E to Groton Utilities for the total sum of \$25,000, and be it

FURTHER RESOLVED, that upon receiving notification of the buyer's legal acceptance of the offer, Town Manager Mark R. Oefinger may execute an appropriate deed and all other documents and certifications necessary for the conveyance of the subject property.

Refer to RTM

#### Legislative History

**5/21/2007 Mayor Referred Town Council Committee of the W**

**8/14/2007 Town Council Committee of the Whole Discussed**

*Mayor Watson provided a brief history on this issue and the parcel which was obtained by the Town through tax foreclosure and noted that he made this referral. The City of Groton would like to purchase the property for back taxes. Councilor O'Beirne noted some older history when the property was fenced off by Groton Utilities and there were discussions about making the parcel a park. Councilor O'Beirne asked for more research on the history of the property and discussions with the City of Groton.*

*Town Manager Oefinger noted he spent hours researching this issue and found that there is a single property on Buddington Road, which was last discussed in 2002 in association with a potential walking path along Route 117. There is \$11,526.03 in back taxes owed. Councilor O'Beirne asked for the appraised or assessed value of the land.*

**8/28/2007 Town Council Committee of the Whole Discussed**

*Councilor O'Beirne asked why the Council needs to take action on this at this time. He feels this is the Town's last "bargaining chip" to obtain recreational access to the reservoir property. Councilor Scott suggested putting this item on the agenda for a joint meeting with the City of Groton.*

**9/18/2007 Town Council Committee of the Whole Recommended for a Resolution**

*See 9/18/07 Committee of the Whole discussion under 2007-0010 Joint Meeting with City Council (2007 Standing Referral)*

**10/2/2007 Town Council Removed from Consent Calendar Deletion List**

**10/2/2007 Town Council Re-referred Town Council Committee of the W**

*The Town Manager reviewed his discussions with the Town Attorney pertaining to the Town's ownership of foreclosed property, and whether this matter needed to be referred to the Planning Commission and to the RTM.*

*Responding to Councilor Sheets, the Town Manager confirmed that there was an assessed value of the two parcels involved in this resolution which was provided to the Council at an earlier date.*

*Upon the suggestion of the Town Manager, the Mayor received consensus from the Council to re-refer this item to the Committee of the Whole for further discussion and pending further information from the Town Attorney.*

**10/9/2007      Town Council Committee of      Discussed**  
**the Whole**

*This item was re-referred to the Committee of the Whole. The Town Manager has not yet received a suggestion from the Town Attorney on how to proceed. Town Manager Oefinger briefly reviewed possible options and further discussion was tabled to the next meeting.*

*Councilors Kolnaski and Schmidt arrived at 6:50 p.m.*

**11/13/2007      Town Council Committee of      Discussed**  
**the Whole**

*Town Manager Oefinger has not received the Town Attorney's opinion on this item yet. The Town Attorney is looking into adopting a procedure for selling a piece of property that has been transferred to the Town through tax foreclosure which would also include Town Council review as soon as property is foreclosed. Mayor Watson asked that this item be placed on the November 20th special meeting agenda.*

*Town Manager Oefinger provided a brief background on this issue for new Councilors.*

**11/27/2007      Town Council Committee of      Discussed**  
**the Whole**

*Mayor Watson provided a brief background on this item.*

**11/27/2007      Town Council Committee of      Motion**  
**the Whole**

*to rescind the previous action recommending this item for a resolution*

**11/27/2007      Town Council Committee of      Motion**  
**the Whole**

*to refer the potential transfer of property to Groton Utilities to the Planning Commission under CGS 8-24*

**12/4/2007      Town Council      Referred      Planning Commission**

**12/11/2007      Planning Commission      Referred      Town Council Committee of the W**

**1/8/2008      Town Council Committee of      Discussed**  
**the Whole**

*Mayor Watson noted that he discovered a 1998 opinion from the Town Attorney advising that this transfer should go before the Planning Commission and RTM. Town Manager Oefinger noted receipt of a positive response on the CGS 8-24 referral from the Planning Commission. Staff distributed a communication from Mike Carey recommending that this item go to the RTM just to be safe, in case there could ever be an interpretation that the Town intended to hold onto this property.*

*Councilor O'Beirne expressed concern that Attorney Carey's opinion conflicts with Attorney Duggan's. Town Manager Oefinger clarified that Attorney Duggan has outlined a policy for going forward whereby once a property is foreclosed, the Town Council will make a conscious decision whether or not it will be held for a Town use, in which case any future transfer would require CGS 8-24 review by the Planning Commission and RTM approval. Town Manager Oefinger explained the past practice.*

*Mayor Watson made a referral to the Committee of the Whole to discuss this issue in greater detail.*

*Discussion followed on changing the wording of the resolution to "offer" the property for sale, rather than "sell" the property.*

**1/8/2008      Town Council Committee of      Recommended for a**  
**the Whole      Resolution**

**1/15/2008      Town Council      Deleted from Referral List -**  
**Action to be taken**

**1/15/2008      Town Council      Adopted and Referred      Representative Town Meeting**

**2/13/2008      Representative Town Meeting      Referred      RTM Community Development &**

**2/27/2008      RTM Community      Discussed**  
**Development & Services**  
**Committee**

*Chairman Peruzzotti noted that no vote was taken but that all members present are in favor of the sale.*

**3/12/2008      Representative Town Meeting      Discussed**

*Chairman Peruzzotti reported that there is no committee recommendation since there was no quorum at the meeting. She noted that members and town staff present did have a discussion and that members present were in favor of the property sale.*

*Moderator Billing stated that the RTM Rules require a committee recommendation prior to action taken by the RTM. She informed the members that a motion to suspend the rules would be the proper action if the RTM would like to consider this item at this meeting. Alternatively, this item can be considered at next month's meeting. She reminded members that a motion to suspend the rules is not a debatable motion and requires a two-thirds vote of those present to pass.*

*Democratic Floor Leader Patrice Granatosky requested that any vote on this item be postponed until the next meeting as a result of discussion in the Democratic Caucus prior to this meeting.*

*Rep. Garagliano stated that she is not in favor of postponing action on this item due to lack of a committee quorum. She stated that many times in her previous tenure as an RTM member, Moderators have placed the item on the floor without a suspension of the rules. She feels that this item should be addressed in that manner. She believes it is unfair to require the members present at the February 27 committee meeting to attend a second meeting on this matter. She feels the current RTM committees are too large to easily attain a quorum and that the problem of no quorum at committee meetings will continue to occur.*

*Rep. Evered stated she is in favor of the delay since she was unable to attend the committee meeting due to a late notification because of a mail delivery problem. She feels it is important that a committee recommendation be made to the entire RTM.*

*MOTION TO SUSPEND THE RULES to adopt the RESOLUTION TO OFFER TOWN PROPERTY ON NORTH ROAD, BUDDINGTON ROAD AND OLD BUDDINGTON ROAD TO CITY OF GROTON UTILITIES was made by Rep. Loughlin, seconded by Rep. Steinfeld.*

*VOTE TO SUSPEND THE RULES failed 11 in favor, 12 opposed. (In Favor: Reps. Ambroise, Bartinik, Beckwith, Briggs, Hubbard, Loughlin, Perruzzotti, Power, Prochaska, Steinfeld, Billing).*

*The Moderator commented that she had received many comments concerning the past practice of moderators placing items on the floor without a committee recommendation, but that she is following the rules.*

### **3. EDUCATION**

#### **a. Chairman's notes on the business of the Town - Chairman Fairbank**

### **4. RECREATION**

#### **a. Chairman's notes on the business of the Town - Chairman Power**

### **5. PUBLIC SAFETY**

#### **a. Chairman's notes on the business of the Town - Chairman Pratt**

### **6. PUBLIC WORKS**

#### **a. Chairman's notes on the business of the Town - Chairman Collins**

### **7. RULES & PROCEDURES**

#### **a. Chairman's notes on the business of the Town - Chairman Evered**

## **I. OTHER BUSINESS**

### **a. Budget Discussion**

## **J. ADJOURNMENT**

